

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES E. JACOBSON,

Plaintiff,

Civil No. 10-115-ST

v.

O R D E R

STATE OF OREGON, PATRICIA A.
JACOBSON, and JOHN W. LUNDEEN,

Defendants.

HAGGERTY, District Judge:

Magistrate Judge Stewart issued a Findings and Recommendation [5] in this action that recommended that this case should *sua sponte* be remanded to state court for lack of subject matter jurisdiction, and all pending motions should be denied as moot.

No objections were filed to this Findings and Recommendation, and the case was referred to me. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Findings and Recommendation.

CONCLUSION

The Magistrate Judge's Findings and Recommendation [5] is adopted. This case is remanded to the Circuit Court of the State of Oregon for the County of Clackamas due to lack of subject matter jurisdiction, and all pending motions are denied as moot.

IT IS SO ORDERED.

Dated this 15 day of April, 2010.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge